

Vishaal Virk filed on May 24, 2014, Chapter 13 Case No. 2014-25512, in the United States Bankruptcy Court for the Eastern District of California.

1 The Dhaliwals filed a proof of claim in Virk's Chapter 13
2 case on October 14, 2014, based on the \$285,000.00 judgment, the
3 accrued total of which was claimed to have risen to \$344,568.66
4 with judgment interest and costs.

5 During the course of the Chapter 13 case, it was determined
6 that the secured amount of the Dhaliwal judgment lien against
7 9646 Rivage Way was \$22,311.00. The Chapter 13 Trustee paid the
8 Dhaliwals \$22,311.00 pursuant to the terms of Virk's confirmed
9 Chapter 13 plan.

10 The unpaid balance of the judgment debt was determined to be
11 an unsecured claim subject to discharge upon completion of the
12 plan.

13 The Chapter 13 plan was completed. To the extent claims were
14 secured, they were paid in full. Virk received a discharge of all
15 unsecured debts on November 16, 2020. Hence, Virk has no
16 continuing liability to the Dhaliwals.

17 Virk complains that the Dhaliwals have not executed a
18 release of their recorded judgment lien, which is impeding his
19 ability to sell 9646 Rivage Way, and seeks imposition of
20 penalties and damages on six counts alleged in the complaint.


21 The parties agreed that the judgment debt in Case No. 34-
22 2011-00103167 has been fully paid and that the lien based on the
23 Abstract of Judgment should be deemed to have been fully paid and
24 that the judgment lien may be avoided.

25 It was further agreed that this court could immediately
26 exercise its authority under Federal Rule of Civil Procedure 70,
27 as incorporated and expanded by Federal Rule of Bankruptcy
28 Procedure 7070, to order and adjudge that the Dhaliwal judgment

1 lien be released and extinguished as having been fully paid. And,
2 the plaintiff agreed that upon entry of such a judgment, all
3 other causes of action could be dismissed.

4 A judgment deeming the Dhaliwal Abstract of Judgment in Case
5 No. 34-2011-00103167 to be released and extinguished as having
6 been fully paid shall be entered.

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8 Dated: January 14, 2022

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12 _____
13 United States Bankruptcy Judge
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**INSTRUCTIONS TO CLERK OF COURT
SERVICE LIST**

The Clerk of Court is instructed to send the attached document, via the BNC, to the following parties:

Vishaal Virk
9646 Rivage Way
Elk Grove, CA 95624-4443

Peter G. Macaluso
7230 South Land Park Drive #127
Sacramento, CA 95831

Ronny Dhaliwal
2622 Lunar Lane, Apt. #3
Sacramento, CA 95864

Sunita Dhaliwal
2622 Lunar Lane, Apt. #3
Sacramento, CA 95864